

PROPOSED

RPA NUMBER (HR USE ONLY)

ALERT: This form is mandatory for all Requests for Personnel Action (RPA).

INSTRUCTIONS: Before completing this form, read the instructions located on last page.

Section A: Position Profile

A. DATE 7/27/21	B. APPOINTMENT EFFECTIVE DATE	C. INCUMBENT NAME
D. CIVIL SERVICE CLASSIFICATION Attorney III		E. POSITION WORKING TITLE Attorney III – Stabilization Services Attorney
F. CURRENT POSITION NUMBER 695-250-5795-001		G. PROPOSED POSITION NUMBER (Last three (3) digits assigned by HR)
H. OFFICE / SECTION / UNIT / PHYSICAL LOCATION OF POSITION Office of Legal Services		I. SUPERVISOR NAME AND CLASSIFICATION Sahana Ayer, Chief Counsel
J. WORK DAYS / WORK HOURS / WORK SHIFT (DAY, SWING, GRAVE) MONDAY - FRIDAY / 8:00AM TO 5:00PM (VARIABLE)		K. POSITION REQUIRES: FINGERPRINT BACKGROUND CHECK <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO DRIVING AN AUTOMOBILE <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

Section B: Position Functions and Duties

Identify the major functions and associated duties, and the percentage of time spent annually on each (list higher percentages first).

	Information Technology Domains (Select all domains applicable to the incumbent's duties/tasks.) <input checked="" type="checkbox"/> Business Technology Management <input checked="" type="checkbox"/> IT Project Management <input checked="" type="checkbox"/> Client Services <input checked="" type="checkbox"/> Information Security Engineering <input checked="" type="checkbox"/> Broadband/Telecom <input type="checkbox"/> System Engineering
	Organizational Setting and Major Functions <p>Under the general direction of the Chief Counsel, the Attorney III works independently to advise, assist and support the California Department of Technology, in implementing the State's new Technology Strategy and Digital Transformation Strategy. The Attorney III acts as a specialist in public contracting law, project management, and state and federal government procurement law relating to the department's Information Technology (IT) and non-IT procurements.</p> <p>This position is designated under the Conflict of Interest Code. The position is responsible for making, or participating in the making, of governmental decisions that may potentially have a material effect on personal financial interests. The appointee is required to complete form 700 within 30 days of appointment. Failure to comply with the Conflict of Interest Code requirements may void the appointment.</p>
% of time performing duties 50%	Essential Functions (Percentages shall be in increments of 5, and should be no less than 5%.) <ul style="list-style-type: none"> • Provide verbal and written legal advice to the California Department of Technology with respect to the more complex and novel issues relating to the work of the department. • Research, review, interpret, and apply laws, court decisions, and other legal authority in the preparation of written legal opinions; prepare legal documents and memoranda; advise project staff regarding the legal effects of rules, statutory law, proposed regulations and legislation, court decisions, administrative actions governing the activities of the IT systems procured, managed by the department. • Advise, assist and support the department in technology modernization initiatives that will be identified and approved by CDT and the Department of Finance through CDT's assessments of existing technology systems, and the evaluation of strategic technology modernization proposals submitted by departments. • Advise, assist and support the department in identifying technology proposals eligible for modernization funding. • Develop policies and provide guidance to state entities to submit the technology proposals must meet at least one of the following criteria: (1) improve, retire, or replace existing technology systems; (2) improve information security; (3) improve the efficiency and effectiveness of state entities; or (4) transition state entities' legacy technology systems to cloud computing. • Conduct legal research and analysis on the more complex and specialized contract related areas of law. Provide expert advice and support on diverse and complex legal issues involving administrative and departmental programs, including interpreting State and federal statutes and regulations in evolving areas of law. Prepare the written legal opinions.

40%

- Consult with the Chief Counsel, Attorney General's Office, and other outside counsel as necessary to ensure comprehensive representation of the California Department of Technology's best interest.
- Provide assistance on personnel matters, procurement, and the Broadband Middle-Mile Initiative.
- Research and advise on the more complex contract disputes, including noncompliance with terms and conditions of contracts.
- Respond to requests for information regarding legislation concerning highly specialized regulatory issues.
- Prepare administrative and legal policy to conform to mandated state and federal laws, and control agency mandates.
- Draft regulations and notices related to procurement rules, public contract rules, and appeal rights.

10%

- Respond to requests to the California Department of Technology under the Public Records Act.
- Perform other related duties as assigned.

Work Environment Requirements

- Travel between the California Department of Technology and other department campuses, and other offices may be required.
- Required to carry a smart phone or other communication device.

Allocation Factors (Complete each of the following factors.)

Supervision Received:

The Attorney III is under the general direction and supervision of the Chief Counsel. Work product and opinions produced by the incumbent is subject to Chief Counsel review and approval prior to submission to executives

Actions and Consequences:

Decisions and recommendations made by the incumbent can have a serious and high economic impact on customer programs and mandates. Poor judgment on the part of the incumbent can result in organizational deficiencies and adverse legal actions. Because of the California Department of Technology's public visibility, failure to comply with the applicable regulations, statutes, and policies could produce significant negative impacts to the Administration and could result in loss of public confidence and adverse press.

Personal Contacts:

The incumbent communicates with California Department of Technology executives and managers, and vendor communities, as approved and authorized by the Chief Counsel.

Administrative and Supervisory Responsibilities: (Indicate "None" if this is a non-supervisory position.)

None.

Supervision Exercised:

None.

Other Information

Desirable Qualifications: (List in order of importance.)

- Current member in good standing of the California State Bar.
- Analyze administrative policies, organization, procedures, and practices.
- Integrate the activities of a diverse program to attain common goals.
- Gain the confidence and support of top-level administrators and advise them on a wide range of administrative matters.
- Develop cooperative working relationships with representatives of all levels of government, the public, and the Legislative and Executive Branches.
- Analyze complex problems and recommend effective courses of action.
- Analyze problems and apply legal principles and precedents to a particular set of facts.
- Excellent writing, verbal, and organizational skills.
- Draft rules and regulations and proposed legislative measures; and perform legal research.
- Prepare and review reports.

Desired Knowledge Base:

- The organization and functions of the California State government, including the organization and practices of the Legislature and the Executive Branch.
- Principles, practices, and trends of public administration, organization, and management.
- Program development and evaluation.
- Public Records Act requirements and exceptions.
- Methods of administrative problem solving.
- Ralph C. Dills Act.
- Legal principles and their application.
- Legal procedures and terminology.
- Fiscal practices, contracts, tort liability.
- Public contract law.
- Constitutional and administrative law.
- Court procedures and rules of evidence.

INCUMBENT STATEMENT: I have discussed the duties of this position with my supervisor and have received a copy of the duty statement.

INCUMBENT NAME (PRINT)

INCUMBENT SIGNATURE

DATE

SUPERVISOR STATEMENT: I have discussed the duties of this position with the incumbent.

SUPERVISOR NAME (PRINT)

SUPERVISOR SIGNATURE

DATE